

FY2000 ANNUAL REPORT



REGION 6
NATIVE AMERICAN PROGRAM

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for the time period of October 1, 1999 through September 30, 2000,
Goals 3, 6 and 8 are not reflected in this report.

TABLE OF CONTENTS

	Page Numbers
1 Introduction	
a. Responsibilities	1
b. Regional Structure	2-3
c. Significant Efforts and Accomplishments	4-5
2 Goal 1 - Clean Air	
a. Air Program Activities	6-7
b. Outreach and Training	7
c. Grants, Cooperative Agreements or Interagency Agreements	7
3 Goal 2 - Clean and Safe Water	
a. Water Quality Activities	8-10
b. Meetings and Conferences	10-11
c. Outreach and Training	12
d. Grants, Cooperative Agreements or Interagency Agreements	13
4 Goal 4 - Pollution Prevention	
a. Regional Native American Office (RNAO)Activities	14
b. RNAO Meetings and Conferences	15-16
c. RNAO Outreach and Training	17
d. General Assistance Program Cooperative Agreements	18
e. Indian Program Strategic Planning Process	18-19
f. Toxic Substances and Control Act - TSCA	19
g. Indoor Radon Abatement Act - IRAA	19
h. Federal Insecticide, Fungicide and Rodenticide Act - FIFRA	20

REGION 6 NATIVE AMERICAN PROGRAM

FY2000 ANNUAL REPORT

for the time period of October 1, 1999 through September 30, 2000,
Goals 3, 6 and 8 are not reflected in this report.

	Page Numbers
5	Goal 5 - Better Waste Management
	a. Waste Management Activities 21-23
	b. Meetings and Conferences 23
	c. Outreach and Training 24
	d. Grants, Cooperative Agreements or Interagency Agreements 25
6	Goal 7 - Expansion of American's Right to Know
	a. Meetings and Conferences 26
	b. Outreach and Training 26
7	Goal 9 - Deterrent to Pollution and Greater Compliance
	a. Compliance and Assurance Activities 27
	b. Meetings and Conferences 27
	c. Outreach and Training 27-28
8	Goal 10 - Effective Management
	a. Audits 29

REGION 6 NATIVE AMERICAN PROGRAM FY2000 ANNUAL REPORT

for the time period of October 1, 1999 through September 30, 2000

INTRODUCTION

The Region 6 Native American Program is guided by the EPA Indian Policy and Strategic Plan. The guiding principles of the Indian Policy are to work directly with tribal governments; recognize tribal governments as the primary parties for setting standards, making environmental policy decisions and managing programs for reservations, consistent with Agency standards and regulations; encourage and assist tribes in assuming regulatory and program management responsibilities for their lands; remove existing legal and procedural impediments to working directly and effectively with tribal governments on reservation programs; ensure that tribal concerns and interest are considered when action and decisions affect them; encourage cooperation between tribal, state, and local governments; work with other federal agencies; strive to assure compliance with environmental statutes and regulations on tribal lands; and incorporate these principles into planning and management activities, budget, operating guidance, legislative initiatives, accountability systems and ongoing policy and regulation development processes. The regional program is continually working to institute procedures and process that will assure the principles are followed. To plan and report efficiently, a strategic planning process has been developed. This process uses the Regional Indian Workgroup to provide a coordinated effort to develop, plan, implement and report on environmental programs in Indian country.

Responsibilities

The Agency responsibilities outlined in the Agency's Strategic Plan are to increase tribal capacity-building efforts, provide greater implementation of environmental programs within tribal homelands, expand education for EPA employees regarding tribal environmental issues and culture, increase technical assistance and training for tribal environmental program managers, and maintain multi-media coordination of Indian program activities. The efforts and activities in this report provide reasonable assurance that the Region 6 Native American Program is adhering to guidance put forth by the Agency's Strategic Plan.

Regional Structure

Region 6 has 65 federally recognized tribes and pueblos located in New Mexico, Oklahoma, Texas and Louisiana. The regional program consist of Region 6 staff and managers in the Water Quality Protection, Compliance Assurance and Enforcement, Superfund, Multi-Media Planning and Permitting, Office of Regional Counsel, Management and the Regional Native American Office (RNAO) located in the Office of External Affairs that administer environmental programs on tribal lands.

The Regional Native American Office (RNAO) administers the General Assistance Program (GAP) which provides financial and administrative support to Tribal governments as they build the capacity to implement environmental programs. RNAO coordinates environmental initiatives between the different program offices, ensures adherence to the EPA Indian Policy and acts as an advocate for the Tribes and Pueblos environmental concerns. Through this office, the Region 6 Native American Program develops regional goals and objectives; coordinates the completion, review and evaluation of long term planning initiatives; and reports on regional activities and accomplishments.

The Water Quality Protection Division administers the Clean Water Act (CWA) and Safe Drinking Water Act (SDWA). The goal of the CWA is to restore and maintain the chemical, physical, and biological integrity of the Nation's waters encompassing the lakes, streams, rivers, wetlands and coastal waters. The CWA regulates matters concerning water pollution, such as: construction of wastewater treatment facilities; monitoring of surface and ground water quality; establishment of water quality standards; permitting of regulated discharges and development of nonpoint source programs. The SDWA regulates the quality of finished drinking water from a public water system in order to ensure the drinking water is safe for human consumption. Financial assistance is available to Tribes to establish and implement water quality protection programs and provide water and wastewater infrastructure improvements.

The Compliance Assurance and Enforcement Division has the responsibility to implement compliance and enforcement programs in Indian country until tribal governments have received that authority. Every effort to increase the presence of these programs in Indian country will be made, where warranted. Maintaining a viable core compliance and enforcement program is necessary to achieve a strong and credible enforcement presence to deter noncompliance with applicable regulations. This division is also responsible for advancing pollution prevention in all regional programs.

The Office of Regional Counsel provides independent counsel to the Region regarding interpretation and implementation of federal laws that govern EPA's work. The office is responsible for legal counseling involving permitting activities, delegation, authorization, approval of Tribal and State programs, the general administrative requirements of Federal law, the Freedom of Information Act, contracting, employment law, grants, ethical issues, and defending the agency against lawsuits filed against it under associated statutes and areas of law.

The Superfund Division administers the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA). CERCLA established prohibitions and requirements concerning closed and abandoned hazardous waste sites, provides for liability of persons responsible for releases of hazardous waste at these sites, and established a trust fund to provide for cleanup when no responsible party could be identified. The Superfund Amendments and Reauthorization Act (SARA) amended CERCLA. SARA stresses the importance of permanent remedies and innovative treatment technologies in cleaning up hazardous waste sites. SARA also encourages and supports emergency planning for responding to chemical incidents, and provides local government and the public with timely and comprehensive information about possible chemical hazards in the community. The Brownfields program is one of the many programs that fall under these Acts and empowers States, communities, tribes and other stakeholders in economic development to work together in a timely manner to prevent, assess, safely clean up, and sustainably reuse brownfields. The Brownfields program provides assistance to tribes and pueblos by administering technical assistance and funding that is awarded under competitive conditions for certain types of redevelopment projects needing site assessment and clean-up.

The Multi-Media Planning and Permitting Division administers the Clean Air Act (CAA), Asbestos Hazard Emergency Response Act (AHERA), Indoor Radon Abatement Act (IRAA), Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), Toxic Substances and Control Act (TSCA), Resource Conservation and Recovery Act (RCRA), Solid Waste Disposal Act (SWDA) Emergency Planning and Community Right-to-Know Act (EPCRA) and Underground Storage Tank (UST) Regulations. The CAA was amended in 1990 to issue regulations making tribes full partners in the air quality planning and management process. In 1998, the Tribal Authority Rule (TAR) was issued to provide tribes the authority to implement and administer programs in the same manner as states. The TAR gives tribes the ability to adopt only those portions of the CAA that apply to their situations. The AHERA requires all Tribal, public and private elementary and secondary schools to conduct inspections for asbestos-containing building materials, develop management plans and implement response actions. The IRAA provides funding for Tribal governments to establish radon programs and to assist Tribal governments and to encourage Tribal members to test for radon and mitigate elevated radon levels. The TSCA mandates the development of a model Toxic Substance Control program for tribes. RCRA ensures that hazardous waste is properly managed. UST regulations are to prevent, identify and clean up leaks and spills. Funding and technical assistance is available to provide infrastructures in hazardous waste, solid waste, and underground storage tanks management. This includes the Tribal Municipal Solid Waste Management program.

The Management Division provides support services to the Region 6 program offices. The management teams that directly support the Native American Program are the Grants Management Team, Budget Team, Contract and Procurement Team and the General Accounting Team. The Grants Management Team is responsible for the administrative review and processing of tribal grant and interagency agreement applications and awards. The Budget Team is responsible for the distribution of funds to the appropriate EPA programs. The Contract and Procurement Team is responsible for negotiating and processing contracts in Indian country. The General Accounting Team is responsible for payments or reimbursements to tribal grantees and service providers.

Significant Efforts and Accomplishments

As of October of FY2000, 61 of 65 tribes and pueblos located in Region 6 have received environmental assistance through grants from EPA.

Region 6 has signed a cumulative total of 41 Tribal Environmental Agreements with Tribes and Pueblos. The Choctaw Tribe signed a Tier 2 Environmental Agreement in November of 1999. This amended their previous Tier 1 signed in July of 1998. The Comanche Tribe signed a Tier 1 Environmental Agreement in June of 2000. Draft Tier 2 Environmental Agreements were received and commented on for Picuris Pueblo and the Seminole Tribe. The Tier 1 is a basic agreement to cooperate, the Tier 2 agreement lists environmental priorities.

The Region's PM2.5 monitors were among the first operated by tribes, nationally. The monitors determine the amount of fine particulate matter in the air. Thirteen PM2.5 monitoring sites began operating in January of 2000 at Cochiti, Isleta, Jemez, Pojoaque and Zia Pueblos in New Mexico and the Delaware Nation, Cherokee, Cheyenne-Arapaho, Pawnee, Quapaw, Sac and Fox, Seminole and Ponca Tribes in Oklahoma.

The Pueblo of Santa Ana negotiated the first Tribal Performance Partnership Grant (PPG) in Region 6. This PPG incorporates multi-year activities and funding from both the General Assistance Program and the Clean Water Act. Santa Ana Pueblo volunteered to pilot this project.

The first federal operating permit in Indian country was drafted in July. The facility is a natural gas compressor station located on Laguna Pueblo owned by Transwestern Pipeline Company.

The Comanche Nation through a Brownfields grant has completed a total of 26 site assessments.

The Osage Nation has continually provided long-term support and assistance in the Underground Injection Control Program. Five inspectors from the Osage Nation conducted more than 2800 injection well inspections each year. This successful partnership has produced an overall 90 percent compliance rate.

The Pueblo of Taos worked with EPA, other Federal agencies to close a 5.4 acre dump. They also developed an effective alternative to open dumping to prevent future pollution.

The Alabama-Coushatta Tribe of Texas has consistently provided high quality drinking water to its customers. This accomplishment requires constant and consistent attention to the public water system.

The Pueblo of Tesuque provided timely Consumer Confidence Reports to its customers for two consecutive years, 1999 and 2000. All public water system owners and operators are required to produce these reports annually, but many do not.

Governor Bowekaty served as the first tribal Co-Chair of our Regional Tribal Operations Committee (RTOC). Through his leadership, guidance, foresight, and patience, the RTOC has adopted and signed a Charter and tackled numerous issues during quarterly meetings this past year.

REGION 6 NATIVE AMERICAN PROGRAM FY2000 ANNUAL REPORT for the time period of October 1, 1999 through September 30, 2000

Goal 1- Clean Air

The Multi-Media Planning and Permitting Division administers the Clean Air Act (CAA). The CAA was amended in 1990 to issue regulations king tribes full partners in the air quality planning and management process. The activities and accomplishments reported in Goal 1 are associated with this act.

Air Program Activities

Region 6 has drafted its first federal operating permit in Indian Country. The facility owned by the Transwestern Pipeline Company is a natural gas compressor station located on the Laguna Pueblo reservation in New Mexico. The Region informally sent a draft permit along with the statement of basis to the company. Transwestern responded to the draft permit and the statement of basis. Signature authority to sign the permit was re-delegated from the Regional Administrator to the Division Director. The draft permit will go out for public comment following the Division Director's signature.

In January, thirteen PM2.5 monitoring sites began operating in New Mexico in January of 2000 at Cochiti, Isleta, Jemez, Pojoaque and Zia Pueblos and the Delaware Nation, Cherokee, Cheyenne-Arapaho, Pawnee, Quapaw, Sac and Fox, Seminole and Ponca Tribal lands.

The Air State and Tribal Operations Section and the Air Quality Analysis staff toured eight PM2.5 sites located on tribal lands in Oklahoma. Monitoring issues and requirements were discussed and air monitoring sites were inspected. The sites are on lands of the Delaware Tribe of Western Oklahoma, the Cheyenne-Arapaho Tribes of Oklahoma, the Ponca Tribe of Indians of Oklahoma, the Pawnee Indian Tribe of Oklahoma, the Sac & Fox Nation, the Seminole Nation of Oklahoma, the Quapaw Tribe of Oklahoma, and the Cherokee Nation.

The Air State and Tribal Operations Section staff and the Air Quality Analysis Section in New Mexico with representatives of the All Indian Pueblo Council (AIPC) and the Pueblos of Acoma, Isleta, Pojoaque, Sandia, San Juan, Jemez, Cochiti and Zia. The staff also conducted PM2.5 site assessments and discussed programmatic issues and requirements.

Ozone exceedances occurred at monitoring sites in Ponca City and Tahlequah Oklahoma, which are operated by the Inter-Tribal Environmental Council (ITEC). The Air Quality Analysis Team followed up with ITEC for additional information. EPA will determine data validity.

The Planning and Permitting staff conducted a technical review of air monitoring and quality assurance procedures used by Inter-Tribal Environmental Council (ITEC) in September. The staff also conducted a performance audits on the ozone monitors operated by ITEC on Cherokee and Ponca tribal land.

Outreach and Training

The Region 6 Air State and Tribal Operations Section and Air Quality Analysis Section made presentations on the Tribal Air Quality program during the Inter-Tribal Environmental Council (ITEC) of Oklahoma's annual conference. The presentation is part of the Region's outreach strategy to make Clean Air Act funding opportunities known to tribes.

The Air Permits staff made a presentation at the annual ITEC conference on the content and benefits of the Agency's recently promulgated low sulfur gasoline regulation. There are five refiners in Oklahoma that will be requesting authorization from the State to construct new equipment and modify existing equipment on their sites. The tribes affected by the activities are the Ponca, Tonkawa, Kaw; Otoe-Missouria and Pawnee by the Conoco refinery in Kay County; the Creek, Pawnee, Cherokee, and Sac and Fox by Sinclair and Sun refineries in Tulsa County; the Chickasaw and Choctaw by Diamond Shamrock refinery in Carter County; the Chickasaw, Sac and Fox, and Choctaw by Williams refinery in Garvin County.

The All Indian Pueblo Council (AIPC) hosted a Tribal Workshop for Tribes and Pueblos who have not entered the Air Assessment Program. The EPA staff presented the Region 6 strategy regarding air quality and emphasized how the tribes and pueblos fit into the strategy. The staff also discussed air grant programmatic requirements, budget narrations, Quality Management Plans and Quality Assurance Project Plans. AIPC is an EPA funded consortia.

Grant, Cooperative Agreement and IAG Awards

The Air Tribal Program issued nine new grants totaling almost \$1,841,000 this year. The grants went to the Wyandotte, Miami, Modoc and the Wichita and Affiliated Tribes for initial air quality assessments; the Pawnee and Ponca Tribes and the Sac & Fox Nation for PM_{2.5} monitoring; and to the Inter-Tribal Environmental Council and the All Indian Pueblo Council to continue ambient air and PM monitoring, and education and support activities for the tribes.

The Air Program has 23 active grants, cooperative agreements and IAGs providing assistance in Indian country which total \$6,051,155.00.

REGION 6 NATIVE AMERICAN PROGRAM FY2000 ANNUAL REPORT for the time period of October 1, 1999 through September 30, 2000

Goal 2 - Clean and Safe Water

The Water Quality Protection Division administers the Clean Water Act (CWA) and Safe Drinking Water Act (SDWA). The goal of the CWA is to restore and maintain the chemical, physical, and biological integrity of the Nation's waters. The SDWA regulates the quality of finished drinking water from a public water system (PWS) in order to ensure the drinking water is safe for human consumption. The activities and accomplishments reported in Goal 2 are associated with this act.

Water Quality Activities

The Water Quality Protection Division approved program authorization for the CWA Section 106 Water Quality Program for 5 tribes. They are the Comanche Tribe, Otoe-Missouria Tribe, Wichita and Affiliated Tribe, and the Seminole and Sac and Fox Nations.

Drinking water quality compliance with the Safe Drinking Water Act Regulations was tracked monthly for 66 tribal public water systems on pueblo and tribal lands in New Mexico, two water systems on Alabama-Coushatta Tribal lands in Texas, and one system on the Pawnee Nation in Oklahoma.

Bacterial water quality non-compliance is a major problem area for many tribal water systems. Through August 2000, 15 tribal systems were cited for serious bacteriological water quality violations, with Santo Domingo Pueblo, Mescalero Apache-Community, Mescalero Apache-Nogal, and Mescalero Apache-Silver Lake having multiple violations. Only two tribal water systems had major monitoring violations; therefore, sampling has improved over prior years, but water quality compliance has remained a major problem. Chemical water quality has generally been in compliance with SDWA Regulations and is not a cause for concern.

The Consumer Confidence Report (CCR) process was also initiated during the year for tribal water system status in 1998 and 1999. Success with this process has ranged from excellent by Tesuque Pueblo that developed CCRs in a timely manner for both years, to poor by Picuris, Sandia, San Ildefonso, and Zuni Pueblos, who effectively developed their CCRs but did not submit official copies to EPA.

A representative of the Drinking Water Section worked with an EPA contractor (CADMUS) on January 24-28 to conduct on-site tribal water system reviews for the 1999 EPA National Needs Survey. This part of the needs survey was delayed from 1999 due to budget restructuring at EPA headquarters. The Region 6 site visits included Jicarilla Apache, Taos Pueblo, Santa Clara Pueblo, Tesuque Pueblo, Cochiti Pueblo, Zia Pueblo, and San Ildefonso Pueblo.

On February 22, Drinking Water Section staff members assisted the Santo Domingo Pueblo in addressing bacteriological contamination of their tribal water system. They assisted the tribe in developing a functional water utility, empowering the Santo Domingo Pueblo to systematically address and prevent future bacteriological contamination of their water system. On February 24, these Drinking Water Section members met with Pojoaque water system operators, and water system technical service providers to discuss strategies for improving tribal water system regulatory compliance.

Water Quality staff approved the Mescalero Apache Tribe's Nonpoint Source Management Program and Assessment Report. The plan outlines a prescribed approach to address water quality impairments on tribal lands.

Staff from the Region 6 Ground Water Center and Drinking Water Section worked with tribal staff to conduct source water assessments of water supply systems during the week of July 31 to meet the requirements of the 1996 amendments to the Safe Drinking Water Act. Water supply systems owned and operated by the Zuni Pueblo and the Isleta Pueblo had assessments conducted using a process developed by the Ground Water Center and the Customer Service Branch. A projected date of May 2003 has been set as the goal for the assessment of drinking water of tribally owned water systems. This assessment will be done where Region 6 has direct implementation for this program.

An engineer from the Drinking Water Section visited New Mexico during the week of August 21 to provide technical assistance on monitoring of tribal drinking water systems. Water systems for the Jicarilla Apache Tribe, Acoma Pueblo, and San Felipe Pueblo was sampled for all trace metals, inorganic chemicals, organic chemicals, and radiological constituents that are currently regulated under the Drinking Water Regulations of the Safe Drinking Water Act. The EPA's primary interests were arsenic and radon. Both are naturally occurring in the environment, and are particularly prevalent in New Mexico.

In August, Water Quality staff worked with the Acoma and Laguna Pueblos conducting source water assessments of their water systems. A total of seven water systems owned and operated by the Acoma and Pueblos were reviewed using an automated process developed by Water Quality to meet the requirements of the 1996 amendments to the Safe Drinking Water Act.

In the area of capacity development, Taos Pueblo and San Juan Pueblo made significant progress in developing a tribal utility organization, supported by ordinances, by-laws, and a rate structure to improve their ability to produce and deliver safe drinking water.

State/Tribal Programs staff conducted on-site end of year reviews for the 106 program with the Pojoaque, Tesuque and Santa Clara Pueblos. This is the first time program reviews have been done for the tribal 106 program in this region.

The Indian Health Service (IHS) and EPA Region 6 coordinated efforts to prioritize each respective tribal priority list in which the IHS play a major role in providing managerial and technical support in overseeing drinking water infrastructure improvements. Also, in FY 2000, the regional staff began coordinating implementation efforts with the Bureau of Reclamation (BOR) in anticipation of working with them on tribal projects in Oklahoma in FY 2001. This is the first time with the DWTSA Program in Region 6, in which three Federal Agencies have come together to coordinate efforts and commit resources in making drinking water system improvements on tribal lands.

Meetings and Conferences

The Pueblo of Pojoaque proposed revisions to its Water Quality Standards (WQS) and held a public hearing in November 1999. The Pueblo's Environment Department accepted written comments on the proposed revisions prior to the public hearing and at the meeting. The triennial revision was completed with final adoption in March. The Pueblo's WQS are fully effective for Clean Water Act purposes, since the tribe completed adoption of the revised standards prior to the change in the federal WQS regulation effective in May. The new regulation requires EPA approval for new and revised WQS before using for CWA purpose.

A representative of the Drinking Water Section participated in a meeting of Tribal water system and technical assistance providers on November 30 in Santa Fe, NM. The Water Section representative visited the Zuni, Acoma and Laguna Pueblos to discuss specific water quality issues and to review the status of EPA supported projects.

EPA headquarters and Region 6 Water Quality staff participated in a consultation meeting to discuss the potential promulgation of core water quality standards for the tribes in Oklahoma in December. The meeting was hosted by the Sac and Fox Nation. A number of critical issues were raised and tribal staff provided comments. All tribal comments were forwarded to headquarters for consideration.

Drinking Water Section staff and the Water Enforcement Team met with Mescalero Apache officials on January 10-11. A survey of selected water systems on tribal lands was conducted. Investigations included the Whitetail system, and Goat Canyon, a new community system that is being added to the Region's (Safe Drinking Water Act) Direct Implementation Program.

Water Division Assistance Programs Branch staff visited New Mexico Tribes on February 13-16. Wetlands program and project reviews were conducted at the Santa Clara, San Juan, Santa Ana, and Acoma Pueblos.

A Drinking Water Section representative visited Oklahoma on March 23 to participate in Safe Drinking Water Act activities with Otoe-Missouria and Pawnee tribal officials. The Otoe-Missouria water system facilities are being surveyed as part of the 1999 National Infrastructure Needs Survey which supports future implementation of the Tribal Set-Aside Program. The Pawnee Tribe has rehabilitated its old well system as a newly active tribal public water system, and no longer relies solely on the City of Pawnee for their water supply. This system will be added to the list of active tribal water systems in the Region.

The Deputy Assistant Administrator for EPA's Office of Water, met with tribal representatives in Oklahoma on April 4. The Sac and Fox Nation hosted the meeting in which 25 tribes participated. The meeting focused on concerns/comments raised on the promulgation of core water quality standards for Indian country including, EPA's interpretation of Indian country, Tribal sovereignty, "opt-in" v. "opt-out" approaches, and designated uses. EPA Headquarters agreed to further investigate several issues as a proposed rule is drafted over the next few months.

A member of the Drinking Water Section visited with tribes in New Mexico from May 15-18 to support and participate in several tribal activities. These activities included a May 16 meeting of the Santo Domingo Tribal Utility Board. EPA is working on a Tribal Set-Aside grant through IHS for water system infrastructure at Santo Domingo; a May 18 quarterly meeting of Tribal Technical Assistance Providers, local support groups funded by EPA to assist tribal utilities in operator training, utility development, etc.; direct assistance to Isleta Pueblo, includes seven public water systems; and Santo Domingo Pueblo for monitoring chemical and radio-chemical water quality, includes two public water systems.

Safe Drinking Water staff conducted on-site preconstruction/pre-application/pre-award meetings with the tribes and plan to continue these efforts in FY 2001. Also, the groundwork was set to revisit the existing Intended Use Plan for improvements, if needed and update the Project Priority List for the Drinking Water Tribal Set-Aside program, so that the process can be reopened for new tribal proposals in FY 2001.

Water Quality staff conducted site assessments of created and enhanced wetland in August with the San Juan Pueblo Environmental Affairs Director. Technical assistance for the construction and management of wetland resources was provided.

Outreach and Training

The Water Quality Division staff gave training on the new Class 5 Injection Well Regulations on February 8 and 9. A team from the Office of Ground Water and Drinking Water led the training.

Class V Rule Training was held on March 23. EPA representatives gave presentations on EPA's plan to do source water assessments on Tribal public water system facilities, opportunities for assistance afforded by the Ground Water Center, and a presentation on a current solicitation to the tribes for projects to benefit the Underground Injection Control program. Concerns raised by tribal representatives were the definition of owner/operator, assertion of jurisdiction by federal and state authorities over what they perceive as tribal jurisdictional matters, adequacy of the federal Class 5 inventory on tribal lands, ways to increase public participation on the new rules, and cooperation on inventory collection efforts. The attending Tribes were the Apache Tribe of Oklahoma, the Osage, and the Jicarilla Apache of New Mexico.

During the week of April 17, the Source Water Branch and Drinking Water Section staff were co-participants in two major tribal training activities involving water system operation and source water protection. On April 18-19, a special Source Water Protection seminar was presented by Mescalero Apache hydrologists with Pueblo of Santa Ana acting as the host location. On April 19-20, the Native American Water Association presented a training session in Albuquerque for tribal water system operators with special emphasis on capacity development.

The Water Quality Outreach Team and Regional Native American Office (RNAO) staff met with representatives from six Tribes and the Pueblo Office of Environmental Protection (POEP) in Albuquerque in February to assist the New Mexico Environment Department (NMED) to initiate discussions in the development of a Total Maximum Daily Load (TMDL) for the Middle Rio Grande portion of the river near Albuquerque. EPA hosted a morning session for the attending tribes to discuss the upcoming process and potential roles for the state and tribes. Tribal representatives were also invited to attend an afternoon meeting involving other stakeholders, including municipal officials, industry, and environmental groups.

A Water Quality Workshop was held the week of September 4 in the Dallas. Representatives from 11 tribes and pueblos and the Bureau of Indian Affairs, Anadarko office attended. The workshop concentrated on recent changes to the water program which includes Total Maximum Daily Loads, Water Quality Monitoring and Non-point Source Management. The workshop was sponsored by EPA and various other agencies.

Grants, Cooperative Agreements and IAG Awards

The State/Tribal Programs Section staff awarded 41 grants this fiscal year. Twenty one grants are Section 106; two are Section 319; three are Section 104(b)(3) Watershed; three are 104(b)(3) Wetlands; and two are for the Clean Water State Revolving Fund. These awards total approximately \$5.4 million.

Ten grant awards were made during FY2000 to New Mexico and Oklahoma Tribes for the Drinking Water Tribal Set-Aside (DWTSA) program. The total DWTSA program funds obligated to date is \$3,419,000. An Intended Use Plan and the Project Priority List for the Drinking Water Tribal Set-Aside (DWTSA) program was developed in FY99, finalizing the last step in establishing the DWTSA program in the Region. Notice of Intent (NOI) were received from 19 Region 6 Tribes expressing an interest in the funds for tribal drinking water systems infrastructure improvements. The Region has received a total of \$3,756,500 in FY 97, 98, 99 and 2000 in funding. In late FY 99 and in FY 2000, fifteen of the nineteen Tribes have received DWTSA grant funds. Region 6 plan to address the needs of the remaining Tribes on the NOI list, where feasible, in FY 2001 with remaining FY 2000 and/or FY 2001 appropriation funds. The tribes that have received funding for infrastructure improvements are Jemez, Acoma, Zuni, Picuris, San Juan, Taos, Nambe, Santa Domingo, Santa Ana, and Tesuque Pueblos and the Mescalero Apache in New Mexico. The Oklahoma Tribes that have received DWTSA funding is the Iowa, Kickapoo, and Seneca Cayuga Tribes.

The Drinking Water Tribal Set-Aside (DWTSA) Program has committed to provide funds to the Seminole Nation Tribe of Oklahoma for drinking water system infrastructure improvements. On August 1, EPA staff conducted an on-site preconstruction/pre-award meeting with the tribe, the Bureau of Reclamation (BOR) have agreed to provide technical and managerial support in overseeing the drinking water system improvements. This will be the first time under the DWTSA Program in Region 6, in which three Federal Agencies have come together, coordinated efforts and committed resources in making drinking water system improvements on tribal lands. The grant will be awarded the first quarter of FY2001.

Four FY2001 Tribal UIC Proposals were postmarked by the deadline of May 1. The proposals have been organized in a spiral-bound book and are available for review by the Branch. Copies of the book have been distributed to the Underground Injection Control Protection/Groundwater Section, Enforcement, and External Affairs for review. Region 6 is the first region within EPA to make the Other Indian Land Allocation competitive among the tribes.

The Water Quality Division has 134 active grants, cooperative agreements and IAGs. These awards represent approximately \$16,000,000 in funding.

REGION 6 NATIVE AMERICAN PROGRAM FY2000 ANNUAL REPORT for the time period of October 1, 1999 through September 30, 2000

Goal 4 - Pollution Prevention

Pollution prevention strategies, tools and approaches are reported under this Goal. Other program responsibilities include the Regional Native American Office (RNAO) that assesses conditions in Indian country, the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), the Toxic Substances and Control Act (TSCA), Asbestos Hazard Emergency Response Act (AHERA), and the Indoor Radon Abatement Act (IRAA) located in the Multi-Media Planning and Permitting Division.

Regional Native American Office Activities

The Choctaw Tribe signed a Tier 2 Environmental Agreement in November of 1999. This amended their previous Tier 1 signed in July of 1998. The Comanche Tribe signed a Tier 1 Environmental Agreement in June of 2000. Draft Tier 2 Environmental Agreements were received and commented on for Picuris Pueblo and the Seminole Tribe.

In response to the fires near Los Alamos, the Office of External Affairs Director, a staff member and a Tribal Liaison traveled to New Mexico. While the three EPA representatives were there to offer assistance of any kind, a primary focus was to ensure information from the participating agencies was disseminated to the tribes. Also, the trio assisted EPA Air Quality personnel with stationing ambient air quality monitors on the San Ildefonso and Santa Clara Pueblos. In addition to visiting the San Ildefonso and Santa Clara Pueblos, they had the opportunity to meet with environmental representatives from the Pueblo of Pojoaque, Pueblo of San Juan, Pueblo of Tesuque, Pueblo of Nambe and the Eight Northern Indian Pueblos Council.

The Department of Energy took Regional Administrator Gregg Cooke on an airplane tour of the area surrounding the recent fires near Los Alamos. Mr. Cooke observed the damage to nearby Santa Clara Pueblo and was briefed on the erosion control measures being taken to minimize the impact of future runoff onto Santa Clara and San Ildefonso Pueblos.

The Region 6 Tribal Planning Workgroup was established in April. This group meets quarterly or as needed. The purpose of the group is to coordinate within their division an effort that will provide program and media information to RNAO for reporting purposes. Each division representative is developing a long term plan for their division that will document planned activities for the next five years. These plans will

be reviewed and evaluated annually. The outcome and results of these long term plans will be instrumental in preparing the Regional Indian Program Annual Report.

RNAO Meetings and Conferences

The Regional Indian Workgroup met each month to discuss and coordinated cross-divisionally the most current regional environmental efforts, initiatives and activities in Indian country. Each division or office gives an update on training, travel, conferences and grant activities.

The Pueblo of Santa Ana met with Water Quality staff and RNAO staff on November 10 to discuss a Performance Partnership Grant (PPG) with Region 6. Several tribes have expressed an interest in PPG's. Santa Ana is the first to actively seek a PPG.

A Tribal Liaison met with the Osage Tribe of Indians and the Otoe-Missouria Tribe of Oklahoma in January. The Tribal Liaison met with the Environmental Staff at the Osage Tribe and attended an Environmental Excellence Award ceremony in Pawhuska. The next day, he met with the Environmental Director of the Otoe-Missouria Tribe in Red Rock.

The Regional Tribal Operations Committee (RTOC) met on February 15 to discuss issues relevant to Indian Country. The tribal leaders in attendance were Governors of the Zuni and Picuris Pueblos; Chairman of the Quapaw Tribe; 2nd Lt. Governor of Jemez Pueblo; and the Executive Director of AIPC/POEP. Many other RTOC alternates or tribal members attended. The EPA Region 6 Senior Managers in attendance were the Regional Administrator, Deputy Regional Administrator, Director of the Superfund, Regional Counsel, Director of the Compliance Assistance and Enforcement, Director of Water Quality Protection; and Director of External Affairs. EPA staff members from the various programs were also in attendance. Langston University staff facilitated the meeting. The Tribal Caucus met during the morning session. EPA and the Tribal Caucus met in the afternoon. Agenda items included water quality standards, funding for CWA§319 grants, the President's budget update for 2001, revisions to EPA's Strategic Plan, national Tribal Operations Committee update and the GAP 4 year carryover.

A Tribal Liaison visited three tribes in Oklahoma in April. A meeting was held with several representatives of the Delaware Tribe of Indians in Bartlesville, Oklahoma to discuss the tribe's first GAP application. He also met with the Iowa and Osage Tribes.

On May 30, a Tribal Liaison had the opportunity to meet with representatives of the Taos Pueblo. The group held an informal meeting to discuss the pueblo's GAP application, current environmental staff, prior environmental accomplishments, drinking water system and tribal leadership.

The Regional Administrator, RNAO staff, an Office of Regional Counsel attorney and the Financial Management Officer visited the Pueblo of Santo Domingo in May to discuss a resolution and closure of their Multi-Media grant which expired on December 31, 1993. The meeting resulted in the submittal of a Financial Status Report by the tribe that will close-out the grant. This action will also result in a Bill of

Collection to the tribe for an overpayment that occurred during the project period. Santo Doming made the payment in a timely manner.

The Regional Tribal Operations Committee (RTOC) met on June 29 in Oklahoma City. Discussion topics included administrative grants for the RTOC, the Air Program, Core Water Quality Standards, and Drinking Water issues. EPA Directors and tribal representatives meet quarterly to discuss matter of environmental importance.

On July 12, a Tribal Liaison visited the Tesuque Pueblo and met with the Lt. Governor, Tribal Administrator, Environmental Director and the Comptroller. The group held an informal meeting to discuss the Pueblos GAP accomplishments, proposed GAP projects, financial management procedures and the Pueblos wetlands project. The visit was highlighted by an escorted tour of Tesuque Pueblo. On July 13, the Environmental Program Director of the Eight Northern Indian Pueblo Council at the San Juan Pueblo met with the Liaison to discuss the Council's FY 2000 GAP proposal, GIS work, student intern program and future environmental projects.

The Acting Deputy Director of EPA's American Indian Environmental Office and a Tribal Liaison visited the Sac and Fox Nation's Office of Environmental Services in June. They met with the environmental staff to discuss their environmental program and also met with the Chief. The tribe provided a tour of the Sac and Fox jurisdiction.

Tribal Liaisons traveled to New Mexico the week of August 28-September 1 to visit 7 Pueblo's in the northern half of the state. Visits included Jemez, Cochiti, Picuris, Santa Clara, San Ildefonso, Pojoaque, and San Juan Pueblo's. The primary objectives of the visits were to introduce the new RNAO Project Officer, Al Coy, to the environmental directors, provide technical assistance, discuss grant close-out issues and negotiate future grant workplans.

In September, Tribal Liaisons and the Tribal Circuit Rider visited environmental departments in Oklahoma Indian country. The Muscogee (Creek) Nation, Cherokee Nation, Alabama-Quassarte Tribal Town, Wichita and Affiliated, Caddo, Apache, Comanche, Kiowa, Ft. Sill Apache Tribes and the Thlopthlocco Tribal Town were visited.

A Tribal Liaison attended the Tribal Association on Solid Waste and Emergency Response (TASWER) Conference held in Miami, Oklahoma hosted by the Miami and Quapaw Tribes on September 13-15. Tribes from all over the country were in attendance.

In September, a Tribal Liaison visited tribal environmental departments in New Mexico. The pueblos visited were Sandia and Santa Ana. An overview and tour of site specific project programs and a general discussion regarding the General Assistance Program were conducted.

RNAO Outreach and Training

RNAO mailed current environmental information and solicitations to the tribes each month in the mass mailing to assure that each tribe receives the most current information. Items are received from the program offices to be consolidated into a package for each tribe.

Each week the Regional Indian Weekly Activity Report is completed and distributed internally to the EPA Tribal staff and externally to Tribal environmental departments. Information relating to on-going initiatives, recent activities, and newspaper articles of environmental or governmental significance are included in each report.

A Tribal Liaison presented a case study at the Working Effectively with Tribal Governments Training on November 4-5 at EPA in Washington D.C. The case study outlined the various tribal backgrounds and how inter-tribal relations play out in environmental programs.

RNAO coordinated a multi-media grants management training for all Region 6 tribes on November 30 through December 1st. There were eighty four attendees from Tribal environmental offices. The welcome was given by the Director of External Affairs. The Grants Management Team presented requirements governing EPA Assistance Agreements, pre-application and application process, award process, post award monitoring and administration and closeout requirements and procedures. The General Accounting Office presented information on manual checks, electronic funds transfer, the automated clearinghouse and the ASAP payment system. The Quality Assurance Team presented an introduction to EPA quality assurance regulations, the EPA order, EPA policy, Quality Assurance grants certifications, guidance, implementation and assessments. RNAO discussed capacity building, important dates, the application process and progress reporting for the General Assistance Program. The Water Program presented an overview of work plans, application processing and progress reporting for program grants. The Air Program presented an overview of small grants for the states and tribes. The Brownsfield, Superfund and Solid Waste Programs presented an overview of their respective programs and grant opportunities.

The region co-sponsored a 3-day course entitled "Environmental Planning for Small Native American Communities" on January 11-13 in Albuquerque and in Muscogee, Oklahoma in June. The course included field trips. Several Region 6 Tribes and Pueblos participated.

The Working Effectively with Tribal Governments training was held at the EPA regional office on March 15-16. There were 11 attendees from the program offices. The presenters were from the Regional Native American Office and the Office of Regional Counsel.

General Assistance Program Cooperative Agreements

The General Assistance Program (GAP) Annual Report for FY99 was completed. This report documents efforts and activities for each tribe that received funding. The report was submitted to the American Indian Environmental Office in January.

The Regional Native American Office sent letters to all Tribes informing them of the FY2000 GAP grant process and requested them to submit draft proposals for RNAO to perform preliminary work. The Region received 62 GAP proposals totaling over \$8.7 million. Four of the proposals are initial grant applications from tribes interested in establishing an environmental program. The Region's allocation of \$5.6 million was not increased over last fiscal year. The 62 requests ranged from \$50K to over \$430K. The Regional Native American Office staff reviewed the proposals for completeness and accuracy and conducted followed-up activities with the tribal environmental departments.

The Jicarilla Apache's Multi-Media, Communications, and Four year GAP grants were closed. Four year grants were closed for the Mescalero Apache of New Mexico, Apache of Oklahoma, Wichita and Affiliated, Kickapoo of Oklahoma Tribes and the Santa Clara and Laguna Pueblos. A one year grant was closed for the Kickapoo Tribe of Oklahoma. Grant close-outs were identified as a material weakness by the Inspector General, and EPA has committed to Congress that applicable grants would be closed.

Indian Program Strategic Planning Process

The Region 6 Strategic Guidance was drafted and sent for internal comment in March. This document contains regional goals and objectives that are cross-divisional and can be followed by each program. This document presents the vision, mission, strategic focus, and the present structure of the Region 6 Indian Program including the responsibilities of each. During FY2001, the tribal leaders will be asked to comment on the document.

A program review was conducted to assess and analyze activities by GPRA Goals 1, 2, 4, 5, 7, 9. This report analyzes what EPA is doing, why EPA is doing it and the tribes that are receiving assistance. It also meets the FIMFIA criteria for internal program review.

The State of the Environment in Indian Country report was completed and distributed. This 31 page document describes environmental programs and the funding available to tribes through detailed descriptions that reflect efforts directed toward solving identified problems. The text includes map, charts and tables.

The regional divisions and offices are preparing long term plans for the Native American Program. This long term planning initiative will contain the strategies and tasks required to move forward environmental programs in Indian Country according to present resources. The plans will be evaluated and updated as needs are prioritized and resources are made available.

An annual report for the Regional Indian Program was completed. The report documented the efforts and accomplishments of divisions and offices that were completed this fiscal year. The report in conjunction with other reporting mechanisms provide accountability for utilized resources.

Toxic Substances and Control Act (TSCA)

The TSCA program has given three active grants to tribes in Region 6 totaling \$218,104; two of these grants extend into FY 2001. TSCA anticipates awarding five grants in FY 2001 for \$278,838. The staff has contacted tribal representatives on numerous occasions to help develop their FY2001 grant proposals. TSCA is currently working with the Cherokee Nation to approve its Lead-Based Paint Activities Training and Certification Program, and expect to do so in FY2001.

Indoor Radon Abatement Act (IRAA)

The IRAA program has awarded four active grants to three tribes and 1 consortium in Region 6, totaling \$237,491. Two of these grants extend into FY2001. Region 6 anticipates awarding 3 grants in FY2001 for \$142,650. The staff has been in contact with tribal personnel on numerous occasions to help develop their FY 2001 grant proposals. All tribal grantees attended the Regional Indoor Air Quality/Radon workshop held in April 2000.

The All Indian Pueblo Council (AIPC) sponsored a workshop in Albuquerque on improving indoor air quality for its member pueblos on October 14. Regional staff gave presentations on techniques to improve indoor air quality and the Agency's "Tools for Schools" program. Other topics presented by AIPC were lead exposure, radon gas and tobacco smoke.

The Miami Tribe of Oklahoma completed its first round of radon testing in tribal member homes. Some elevated levels were recorded, and the tribe is retesting the high level homes and considering the next steps in achieving radon reduction in homes with verified high levels.

The Indoor Environments Team hosted a workshop for Regional State and Tribal Indoor Air and Radon personnel. The workshop focused on updating the grantees on current and new proposals, guidance, and strategies. Topics included Tools for Schools, asthma, radon in drinking water, and children's health activities. The two day workshop was held at EPA in Dallas on April 3-4.

Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA)

The Pesticides program has 7 active grants and anticipates awarding 5 additional grant in FY2001. The Pesticides staff met with the Jicarilla Apache and Kiowa Tribes this fiscal year to discuss their pesticides program. The Jicarilla Apache tribe has a continuing pesticides enforcement grant. The Miami and Ponca tribes of Oklahoma were selected for Special Pesticide Projects, and the Chickasaw and Pawnee tribes of Oklahoma were selected for Pesticide Ground Water Projects.

REGION 6 NATIVE AMERICAN PROGRAM FY2000 ANNUAL REPORT for the time period of October 1, 1999 through September 30, 2000

Goal 5 - Better Waste Management

The Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), Superfund Amendments and Reauthorization Act (SARA) administered through the Superfund Division and the Resources Conservation and Recovery Act (RCRA) administered by the Multi-Media Planning and Permitting Division are reported through this goal.

Waste Management Activities

On April 11, the EPA Region 6 Superfund Division issued a Five-Year Review Report regarding the remedial action at the Tar Creek Site. The EPA has divided the Site into two operable units (OU). The EPA's Five-Year Review found that the remedial action for OU1 was protecting human health, but that the remedial action was not meeting certain applicable or relevant and appropriate requirements (ARARs) intended to protect the environment. Specifically, for the stream known as Tar Creek, the OU1 remedy was not meeting environmental components of Water Quality Standards developed under the Clean Water Act and intended to protect aquatic life. The 1984 OU1 Record of Decision (ROD) invoked an ARAR waiver regarding these components because the massive costs associated with any engineering solution for surface water contamination in the Tar Creek Basin are prohibitively high, and expenditures to meet those costs would drain the Superfund. The Five-Year Review found that there is no reason to revisit the fund-balancing waiver that was made in the 1984 OU1 ROD. The Five-Year Review found that the OU2 remedial action, which is addressing lead contamination in residential area soil, is protective of human health and the environment. The ROD for OU2 was signed in 1997. The decision for no further action to address the surface water is controversial. EPA will monitor to collect updated data on human impacts related to the surface water. The Quapaw Tribe is impacted by this site.

On May 15, the site Remedial Project Manager for the residential remediation at Tar Creek finalized the work assignment package with CH2M Hill to conduct the Remedial Design for the remaining 600 to 800

properties as part of the residential remediation work that the Corps of Engineers and Morrison Knudsen started. A pre-scoping meeting was held May 19 to discuss the remedial action objectives. The U.S. Army Corps of Engineers and Morrison-Knudsen staff completed all "punch-list" items at the Quapaw powwow grounds as part of the Tar Creek clean-up efforts. On June 26, clean up efforts at the tribal grounds were determined to be 100% complete.

Approximately 165 people attended one of the three open houses EPA held in Picher, Commerce and Quapaw, Oklahoma, to discuss the status of the residential soil remediation efforts at the Tar Creek Superfund site. Many concerns were raised about silicate dust control from roads, drainage in the community, and specific property problems. Approximately 75 new complaints were lodged. The community was informed that the project is between funding cycles and EPA hopes to be back in the field next summer with the new contractor (CH2M Hill), if the State of Oklahoma can provide the 10% matching funds.

A fire in the Los Alamos, New Mexico area burned out of control and surrounding cities were evacuated. The Region monitored the air and provided technical assistance to the New Mexico State Police. Two regional On-Scene Coordinators were at the command center in nearby Santa Fe, New Mexico, with a third on stand-by. Region 6 was on alert for possible activation under the Federal Response Plan.

EPA field activities ended on May 22 for the New Mexico Forest Fires. All sampling data indicated that no unusual contaminants were discovered in the smoke emanating from the Los Alamos National Lab (LANL). The EPA Radiological Lab in Las Vegas continue to analyze the samples to verify results obtained in the field and to further identify radioactive elements.

Following the control of the wildfires threatening the Department of Energy's Los Alamos National Lab, two RCRA project managers were assigned to the facility for the week of June 5-9. The project managers were joined by 6PD's Federal Facilities and New Mexico Section Chief on June 8-9. These representatives met with the New Mexico Environment Department (NMED) and Department of Energy (DOE) facility and regional office, to examine impacts from the fires to RCRA solid waste management units and to assess collateral impacts, such as storm water runoff contamination potential. Efforts continued with state and other federal agencies to minimize threats to human health and the environment in the most efficient manner possible. Several New Mexico Tribes are affected by the fire damage.

The Agency's National Tribal Annual Performance Goal requires evaluating the RCRA Subtitle C hazardous waste management needs of 36 federally recognized tribes. Region 6 has documented hazardous waste issues and concerns of 60 of the 65 tribes in Region 6, thereby meeting/exceeding the National Tribal Annual Performance Goal. Region 6 is in the process of awarding Tribal hazardous waste grants.

Utilizing solid waste closure/post closure guidance developed by the Solid Waste Multimedia Planning and Permitting staff, the Taos-Pueblo has completed closing a 5.4 acre dump. The solid waste staff provided technical assistance and review of all documents regarding the final cover and post closure

care plan. Solid waste staff also helped coordinate the funding for planning and closing this dump. This is a very significant action because it sets a model for working with several federal agencies and tribes to physically close a dump and have an alternative to open dumping.

The Henry O Dip Vat site at the Zuni Pueblo was undergoing bioremediation activities at the Henry O Site during the month of August. The site will be periodically sampled for the next year to monitor the decreasing levels of pesticides. This is the second dip vat to be bioremediated by the Pueblo Office of Environmental Protection (POEP) and the Zuni Pueblo under a pilot project for enhancing state and tribal roles under Superfund.

An agreement with the Zuni Pueblo was issued to provide assistance in the remediation of toxaphene contaminated sheep dip vats. Superfund provided funding to train Zuni staff in the construction of the anaerobic digesters treating the pesticide.

The EPA is working closely with the Inter-Tribal Environmental Council (ITEC) and the Quapaw Tribe in the performance of the first Remedial Investigation and Feasibility (RI/FS) Tribal Pilot Project in the nation. The EPA has approved the Quality Assurance Project Plan for the project and is currently reviewing the RI/FS Work Plan.

Meetings and Conferences

The Regional Administrator and staff visited eight tribes located in Ottawa County at the Seneca Cayuga tribal offices on March 29 and toured the Superfund site with Tribal leaders. On March 30, the Regional Administrator is the keynote speaker at the 2nd Annual Tar Creek Issues Conference on environmental initiatives relevant to Indian country.

The national Brownfields '99 conference was held December 6-9, 1999, at the Adam's Mark Hotel in Dallas. The conference included discussions, panels, networking and a forum to help beginners. The panels included in the conference were: Preparing Sites for Reuse, Financing and Making the Deal, Understanding Legal and Policy Issues and Redeveloping for Sustainability. December 9 was devoted solely to tribal issues.

Staff of the Brownfields Team met with representatives from the Kaw, Ponca and Tonkawa Tribes of Oklahoma on February 2. The purpose of the visit was to tour potential Brownfields sites and to assist the Tribes in their efforts to submit Brownfields Assessment Demonstration Pilot Grant applications. One of the sites visited was the underused Chilocco school site. The school is north of Newkirk, Oklahoma and has a history of incinerator use, USTs, dumping and dilapidated structures with asbestos and lead.

Staff from the Brownfields Team visited the Comanche Nation to discuss the status of its efforts under the Brownfields Assessment Demonstration Pilot grant. The tribe updated EPA about its efforts to

conduct assessments at the two priority Brownfields sites (Fort Sill Indian School and Southwest Hospital). EPA staff visited both sites which are owned jointly by the Kiowa, Apache, and Comanche tribes. Future efforts will relate to an effort to reach consensus on future use plans for the site.

The Tribal Solid Waste and Emergency Response Conference was held in Miami, OK on September 13-15. This national meeting was hosted by the Quapaw and Miami Tribes. EPA supports the environmental offices of these tribes through the General Assistance Program. The Deputy Assistant Administrator of the Office of Solid Waste and Emergency Response was the keynote speaker.

Outreach and Training

Four Cost Recovery staff members presented Superfund Enforcement and Potentially Responsible Party Search Training to eight tribes in Miami, Oklahoma, on February 23-24. The Quapaw Nation provided assistance with the training location and invitations to attendees.

On February 23-24, Cost Recovery staff conducted Enforcement Process and Potentially Responsible Party (PRP) Search Training for representatives from Inter-Tribal Environmental Council, the Quapaw, Miami, Wyandotte, and other tribes in Miami and Quapaw, Oklahoma. One of the follow-up items that developed from the training session was to address the interest expressed by the Quapaw and other tribes in the northeastern area of Oklahoma to be partners with EPA in the early PRP search process. The Region is exploring the possibility of providing grant money to the tribes to conduct PRP search activities relating to the Tar Creek Site. EPA would include language in the grant stating that information gathered during the PRP search would be provided to EPA, and that EPA would decide how the information would be used in any future enforcement actions.

On August 8, EPA participated in Oklahoma Governor's town hall meeting in Miami, Oklahoma. The Governor requested EPA's participation to answer questions concerning current and future activities at the Tar Creek site. On August 24, the EPA hosted a symposium in Joplin, Missouri, at the request of the Project Leader for the Chat Usage Subcommittee of Governor Frank Keating's Tar Creek Superfund Task Force. The purpose of this symposium is to develop safe and efficient guidelines for the usage of chat (mill tailings) in the construction of roadways. Local, state, and Federal representatives from Kansas, Missouri, and Oklahoma will be invited to attend.

On August 14-16, EPA, in conjunction with the ATSDR, the Oklahoma Department of Environmental Quality, and Congressman Tom Coburn's staff, conducted three town meetings at the Tar Creek site. The new contractor and CH2M Hill participated. The August 14 meeting included the towns of Picher and Cardin; the August 15 meeting included the towns of North Miami and Commerce; and the August 16 meeting included the town of Quapaw and the Quapaw Tribe. The community was informed that the project is between "funding cycles" and that EPA hopes to be back in the field next summer with the new contractor (CH2M Hill), if the State of Oklahoma can provide the 10% matching funds.

The Santa Ana Pueblo and the Office of Environmental Protection hosted a workshop to address tribal concerns regarding the pilot project to incorporate cultural values into the Hazard Ranking System for Superfund sites. The workshop was August 29-30 at the Santa Ana Prairie Star restaurant.

Grants, Cooperative Agreements and IAG's Awards

Five tribes received funds totaling \$370,123 for solid waste initiatives. The proposed use of these funds is the development of a solid waste inventory; mapping and surveys of open-dump sites on Indian lands, and identifying illegal dumps. The tribes receiving funds are located in Oklahoma and New Mexico.

The Eight Northern Indian Pueblo Council received grants to assist and coordinate with the Pueblos to gather information, compile generated data, and create a hazardous waste inventory. The Eight Northern will continue building the pueblo's capacity in the basic and applied environmental sciences as they relate to hazardous waste issues.

The All Indian Pueblo Council (AIPC), through the Pueblo Office of Environmental Protection, provides a Superfund program for the 19 Indian Pueblos of New Mexico in cooperation with the EPA in the assessment, inspection, and remediation of potential hazardous waste sites that pose a threat to human health and the environment, and to implement CERCLA. The sites assessed by the Program are those within the territorial jurisdiction of the 19 pueblos of the AIPC, and those which impact the environment of the environment of the 19 pueblos of the AIPC. Funding has been provided to POEP through a Multi-Site Cooperative Agreement (MSCA) to complete Preliminary Assessment (PA) and Site Inspection (SI) objectives. Program administrative and legal support, record-keeping, and general planning were funded to POEP through a Core Program Cooperative Agreement (CPCA). Recently, the Multi-Project Cooperative Agreement (MPCA) allows for both Core and Multi-Site Cost Centers while allowing flexibility in the transfer of funds from one center to the other. This cooperative agreement now contains core funding and multi-site funding. POEP will continue working on three pilot projects that were initially funded by EPA Headquarters. These pilot projects are Incorporating Cultural Values, Emergency Planning for Pueblos and a Dip Vat Bioremediation Training Module. Region 6 continues to work with the Santa Clara Pueblo to develop a pueblo-specific risk assessment for the North Railroad Avenue Superfund site in Espanola and the Santa Clara Pueblo, NM.

The Inter-Tribal Environmental Council (ITEC) received funding through a Multi-Project Cooperative Agreement which include funds for NPL Management Assistance projects, Preliminary Assessment/Site Inspection (PA/SI), the Core Program, and administrative and technical work for the tribal Remedial Investigation/Site Inspection (RI/FS) at the Cardin Project in Cardin, Oklahoma. The ITEC also received funding for a Multi-Project Cooperative Agreement which includes funds for administrative and technical work for the tribal RI/FS Project at Beaver Creek in Miami, Oklahoma.

The Cherokee Nation received a Brownfields grant for site assessment and greenspace. The Cherokee Nation will use Pilot funding to focus on the redevelopment of three sites on tribal lands. The sites are the Cherokee Nation Hog Farm, the Cherokee Nation Landfill, and the Cherokee Nation tribal lands in Kay County, Oklahoma.

REGION 6 NATIVE AMERICAN PROGRAM FY2000 ANNUAL REPORT for the time period of October 1, 1999 through September 30, 2000

Goal 7- Expansion of Americans' Right to Know

Activities and initiatives to improve the quality and quantity of general environmental education, outreach and data availability are reported under this goal. Each division has a responsibility to inform communities and organizations about their respective programs.

Meetings and Conferences

The Deputy Director of the Office of External Affairs, a RNAO staff member and an Environmental Justice staff person attended and participated in the American Indian and Alaskan Native Environmental Justice Roundtable that was held in Albuquerque on August 3-4. The topics for discussion were: the Federal Governments Responsibility; Tribal Governments' Responsibilities; State Governments Responsibilities; Implications for Industry; and Government Collaboration. Participants compiled a draft work documents that included action items at this meeting. These documents will be distributed to Region 6 tribes, directors and the Regional Indian Workgroup by the Office of Environmental Justice.

Training and Outreach

The Region 6 Environmental Education (EE) Program hosted an EE Roundtable for EE contacts representing state, federal and tribal agencies, environmental groups, and institutions of higher learning on December 7-8 at the regional office. The meeting provided opportunities for attendees to receive updates

regarding EE program as well as networking among various EE organizations. Two tribal representatives were in attendance.

The EE roundtable was held on March 23-24 for state, federal, tribal and higher education staff. EPA staff gave an update on EE initiatives in their respective programs. The Miami Tribe and Jemez and Santa Ana Pueblos were represented.

REGION 6 NATIVE AMERICAN PROGRAM FY2000 ANNUAL REPORT for the time period of October 1, 1999 through September 30, 2000

Goal 9 - Deterrent to Pollution and Greater Compliance

Activities and initiatives that will ensure compliance with laws intended to protect public health and the environment are reported under this Goal. The Compliance Assurance and Enforcement Division has the responsibility to implement compliance and enforcement programs in Indian country until tribal governments receive that authority.

Compliance and Assurance Activities

A report on the White Tail Water System operated by the Mescalero Apache Tribe was completed. The report concluded that the water served by the White Tail Water System is not suitable for domestic use, and the tribe was advised to provide the users with an alternative source of drinking water.

Meetings and Conferences

Compliance Assurance and Enforcement staff visited the Osage Mineral Reserve to meet with injection well operators concerning compliance with Underground Injection Control (UIC) requirements in February. Staff met with 10 operators and observed a demonstration of testing procedures for down-hole injection/production wells. They also visited the Parker Unit to verify compliance with administrative order

requirements, and assisted the Tribal Environmental Director in developing an inspection reporting/tracking procedure.

Regional staff visited the Osage Mineral Reserve again on August 29-31 to meet with operators concerning compliance with Underground Injection Control (UIC) regulations. Meetings were held with eight injection well operators which operate in excess of 100 injection wells. The meetings resulted in a better understanding of EPA requirements, and EPA staff gained a better understanding of issues affecting operator compliance. Some of the operators submitted documentation needed to comply with EPA regulations. In addition, discussions were held with tribal staff concerning the UIC program implementation needs for the next fiscal year.

Regional staff attended a flood risk assessment meeting on August 24 at the Los Alamos National Laboratory. The flood risk assessment group is gathering post-fire sediment, ash and muck samples, to develop a risk exposure model for possible downstream contamination issues that may affect the environment of the San Ildefonso Pueblo.

Outreach and Training

Enforcement staff conducted a 5-day RCRA Sampling Training course in Tulsa, Oklahoma from February 28 through March 3. Staff from state and local environmental agencies, as well as staff from the Inter-Tribal Environmental Council (ITEC), attended this training. Over 60 EPA, state, local, and tribal staff were trained at this event.

**REGION 6 NATIVE AMERICAN PROGRAM
FY2000 ANNUAL REPORT**
for the time period of October 1, 1999 through September 30,
2000

Goal 10 - Effective Management

Activities that reflect the regions' internal management and fiscal responsibilities will be reported under this Goal.

Audits

Region 6 accepted the All Indian Pueblo Council's response to the 20 audit findings found in audit reports for fiscal years 1995, 1996, and 1997. EPA's letter of Final Dispute Determination dated December 16 closes the files and reinstates the funds that were in question.

A Management Systems Review (MSR) was conducted at the All Indian Pueblo Council's (AIPC) Pueblo Office of Environmental Protection (POEP), August 9-11. An MSR is an assessment of the quality systems of the Pueblo Office of Environmental Protection by examination of the Quality Assurance and Quality Control QA/QC activities. The MSR Review Team included EPA staff and an individual from an impartial grantee organization.

